

9-25-06

2616

Patent Docket No.: 81862P253

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:

Chandrasekar Krishnamurthy

Application No.: 10/025,265

Filed: December 18, 2001

For: CONNECTION-BASED BANDWIDTH
UTILIZATION

Examiner: Pezzlo, John

Art Unit: 2616

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Enclosed is a copy of Information Disclosure Citation Form PTO-1449 or PTO/SB/08 together with copies of the documents cited on that form, except for copies not required to be submitted (e.g., copies of U.S. patents and U.S. published patent applications need not be enclosed). It is respectfully requested that the cited documents be considered and that the enclosed copy of Information Disclosure Citation Form PTO-1449 or PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

EXPRESS MAIL STATEMENT

"Express Mail" mailing label number: **EV567491407US**

Date of Deposit: **September 22, 2006**

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Christopher P. Marshall

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(Date Signed)

Pursuant to 37 C.F.R. § 1.97, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed as an admission that the information cited in this statement is material to patentability.

Pursuant to 37 C.F.R. § 1.97, this Information Disclosure Statement is being submitted under one of the following (as indicated by an "X" to the left of the appropriate paragraph):

XXX 37 C.F.R. §1.97(b).

_____ 37 C.F.R. §1.97(c). If so, then enclosed with this Information Disclosure Statement is one of the following:

_____ A statement pursuant to 37 C.F.R. §1.97(e) or

_____ A check for \$180.00 for the fee under 37 C.F.R. § 1.17(p).

_____ 37 C.F.R. §1.97(d). If so, then enclosed with this Information Disclosure Statement are the following:

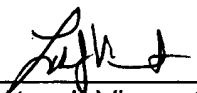
- (1) A statement pursuant to 37 C.F.R. §1.97(e); and
- (2) A check for \$180.00 for the fee under 37 C.F.R. §1.17(p) for submission of the Information Disclosure Statement.

If there are any additional charges, please charge Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: Sept 22, 2006



Lester J. Vincent
Reg. No. 31,460

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025
(408) 720-8300

**FEE TRANSMITTAL FOR FY 2006**

Effective on 10/01/2005. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

TOTAL AMOUNT OF PAYMENT (\$) 0.00

Complete if Known:

Application No. 10/025,265
Filing Date December 18, 2001
First Named Inventor Chandrasekar Krishnamurthy
Examiner Name Pezzlo, John
Art Unit 2616
Attorney Docket No. 81862P253

Applicant claims small entity status. See 37 CFR 1.27.

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify)

Deposit Account

Deposit Account Number : 02-2666

Deposit Account Name: _____

☒ The Director is Authorized to do the following with respect to the above-identified Deposit Account:☐ Charge fee(s) indicated below.☒ Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.☐ Charge fee(s) indicated below except for the filing fee☒ Credit any overpayments.☒ Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

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Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>		<u>Fees Paid (\$)</u>
<u>Fee Code</u>	<u>Fee (\$)</u>	<u>Fee Code</u>	<u>Fee (\$)</u>			
1011	300	2011	150	Utility application filing fee	1,000/500	_____
1111	500	2111	250	Utility search fee		_____
1311	200	2311	100	Utility examination fee		_____
1012	200	2012	100	Design application filing fee	430/215	_____
1112	100	2112	50	Design search fee		_____
1312	130	2312	65	Design examination fee		_____
1013	200	2013	100	Plant filing fee	660/330	_____
1113	300	2113	150	Plant search fee		_____
1313	160	2313	80	Plant examination fee		_____
1004	300	2004	150	Reissue filing fee	1,400/700	_____
1114	500	2114	250	Reissue search fee		_____
1314	600	2314	300	Reissue examination fee		_____
1005	200	2005	100	Provisional application filing fee		_____
SUBTOTAL (1) \$ <u>0.00</u>						

2. EXCESS CLAIM FEES

		<u>Extra Claims</u>	<u>Fee from below</u>	<u>Fees Paid (\$)</u>
Total Claims	_____ - 20 or HP = _____		X _____ = _____	
HP = highest number of total claims paid for, if greater than 20				
Independent Claims	_____ - 3 or HP = _____		X _____ = _____	
HP = highest number of independent claims paid for, if greater than 3				
Multiple Dependent Claims			_____ = _____	

<u>Large Entity</u>		<u>Small Entity</u>		
Fee	Fee	Fee	Fee	
Code	(\$)	Code	(\$)	<u>Fee Description</u>
1202	50	2202	25	Each claim over 20
1201	200	2201	100	Each independent claim over 3
1203	360	2203	180	Multiple dependent claims, if not paid
1204	200	2204	100	Reissue: each claim over 20 and more than in the original patent
1205	50	2205	25	Reissue: each independent claim more than in the original patent

SUBTOTAL (2) \$ 0.00

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each add'l 50 or fraction thereof</u>	<u>Fee from below</u>	<u>Fees paid (\$)</u>
_____	- 100 = _____	/ 50 = _____ (round up to whole number)	X _____	<u>0.00</u>

<u>Large Entity</u>		<u>Small Entity</u>		
Fee	Fee	Fee	Fee	
Code	(\$)	Code	(\$)	<u>Fee Description:</u>
1081	250	2081	125	Utility
1082	250	2082	125	Design
1083	250	2083	125	Plant
1084	250	2084	125	Reissue

SUBTOTAL (3) \$ 0.00

FEE CALCULATION (continued)**4. OTHER FEE(S)**

				Fees Paid (\$)	
Non-English Specification, \$130 fee (no small entity discount)					
<u>Large Entity</u>		<u>Small Entity</u>			
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1813	8,800	1813	8,800	Request for inter parties reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	500	2452	250	Petition to revive - unavoidable	
1453	1,500	2453	750	Petition to revive - unintentional	
1501	1,400	2501	700	Utility issue fee (or reissue)	
1502	800	2502	400	Design issue fee	
1503	1100	2503	550	Plant issue fee	
1462	400	1462	400	Petitions to the Commissioner (CFR 1.17(f) Group I)	
1463	200	1463	200	Petitions to the Commissioner (CFR 1.17(g) Group II)	
1464	130	1464	130	Petitions to the Commissioner (CFR 1.17(h) Group III)	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	For filing a submission after final rejection (see 37 CFR 1.129(a))	
1814	130	2814	65	Statutory Disclaimer	
1810	790	2810	395	For each additional invention to be examined (see 37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.	
1505	300	1505	300	Publication fee for republication	
1803	130	1803	130	Request for voluntary publication or republication	
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	
1454	1,370	1454	1,370	Acceptance of unintentionally delayed claim for priority	
Other fee (specify) _____					
Other fee (specify) _____					
				SUBTOTAL (4)	\$ 0.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:Typed or Printed Name: Lester J. VincentSignature: Date: Sept 23, 2006Reg. Number: 31,460Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Substitute for Form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

**Complete if Known**

Application Number	10/025,265
Filing Date	December 18, 2001
First Named Inventor:	Chandrasekar Krishnamurthy
Art Unit	2616
Examiner Name	Pezzlo, John
Attorney Docket Number	81862P253

Sheet 1 of

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (If known)				
		US-	4,703,475	10/27/1987	Dretzka et al.	
		US-	5,153,877	10/6/1992	Esaki et al.	
		US-	5,224,099	6/29/1993	Corbalis et al.	
		US-	5,274,643	12/28/1993	Fisk	
		US-	5,313,454	5/17/1994	Bustini et al.	
		US-	5,341,366	8/23/1994	Soumiya et al.	
		US-	5,359,592	10/25/1994	Corbalis et al.	
		US-	5,359,593	10/25/1994	Derby et al.	
		US-	5,361,259	11/1/1994	Hunt et al.	
		US-	5,420,857	5/30/1995	Jurkevich	
		US-	5,422,880	6/6/1995	Heltkamp et al.	
		US-	5,483,526	1/9/1996	Ben-Nun et al.	
		US-	5,561,663	10/1/1996	Klausmeier	
		US-	5,617,417	4/1/1997	Sathe et al.	
		US-	5,687,167	11/11/1997	Bertin et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
		WO	99/65194	A1	12/16/1999	Petaejistoe		

Examiner
Signature

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SENT FEES OR COMPLETED FORMS TO THIS ADDRESS.
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Attorney Docket Number	81862P253

Sheet 2 of

U.S. PATENT DOCUMENTS

CITED PATENT DOCUMENTS

Examiner * Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (If known)				
		us-	5,729,546	3/17/1998	Gupta et al.	
		us-	5,764,626	6/9/1998	VanDervort	
		us-	5,793,744	8/11/1998	Kanerva et al.	
		us-	5,815,492	9/29/1998	Berthaud et al.	
		us-	5,872,771	2/16/1999	Park et al.	
		us-	5,881,049	3/9/1999	Beshai et al.	
		us-	5,898,691	4/27/1999	Liu	
		us-	5,917,804	6/29/1999	Shah et al.	
		us-	5,926,475	7/20/1999	Saldinger et al.	
		us-	5,936,940	8/10/1999	Marin et al.	
		us-	5,940,372	8/17/1999	Bertin et al.	
		us-	5,970,067	10/19/1999	Sathe et al.	
		us-	6,028,840	2/22/2000	Worster	
		us-	6,041,039	3/21/2000	Kilkki et al.	
		us-	6,052,385	4/18/2000	Kanerva et al.	

FOREIGN PATENT DOCUMENTS

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		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				

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If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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Sheet

3

of

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (If known)				
		US-	6,061,348	5/9/2000	Castrigno et al.	
		US-	6,084,858	7/4/2000	Matthews et al.	
		US-	6,115,374	9/5/2000	Stonebridge et al.	
		US-	6,160,808	12/12/2000	Maurya	
		US-	6,167,030	12/26/2000	Kilkki et al.	
		US-	6,222,824 B1	4/24/2001	Marin et al.	
		US-	6,256,309 B1	7/3/2001	Daley et al.	
		US-	6,356,546 B1	3/12/2002	Beshai et al.	
		US-	6,466,582 B2	10/15/2002	Venters et al.	
		US-	6,493,317 B1	12/10/2002	Ma	
		US-	6,496,504 B1	12/17/2002	Malik	
		US-	6,512,769 B1	1/28/2003	Chui et al.	
		US-	6,526,060 B1	2/25/2003	Hughes et al.	
		US-	6,608,813 B1	8/19/2003	Chiussi et al.	
		US-	6,608,815 B1	8/19/2003	Huang et al.	

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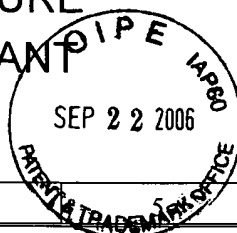
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Sheet 4 of

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		Number-Kind Code ² (If known)				
		US-	6,625,155 B1	9/23/2003	Dziong	
		US-	6,678,264 B1	1/13/2004	Gibson	
		US-	6,731,599 B1	5/4/2004	Hunter et al.	
		US-	6,747,972 B1	6/8/2004	Lenoski et al.	
		US-	6,778,495 B1	8/17/2004	Blair	
		US-	6,819,658 B1	11/16/2004	Agarwal et al.	
		US-	6,826,196 B1	11/30/2004	Lawrence	
		US-	6,876,657 B1	4/5/2005	Brewer et al.	
		US-	6,891,836 B1	5/10/2005	Chen et al.	
		US-	6,934,249 B1	8/23/2005	Bertin et al.	
		US-	6,977,898 B1	12/20/2005	Miriyala	
		US-	US 2002/0057649 A1	5/16/2002	Kinnunen	
		US-	US 2005/0207371 A1	9/22/2005	Chen et al.	
		US-				
		US-				

FOREIGN PATENT DOCUMENTS

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		Country Code ³	Number ⁴ Kind Code ⁵ (if known)				

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Sheet 5 of 5

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		Saltouros, Marios P., et al., "A Scalable Qos-Based Routing Scheme for ATM Networks Using Reinforcement Learning Algorithms," University of Athens, Greece (1999)	
		"Enhanced Frame Solutions Multilink Frame," White Paper, Lucent Technologies, Inc. (July 2001)	
		"End-to-End Multiink Frame Replay Implementation Agreement," FRF.15, Frame Relay Forum Technical Committee (August 1999)	
		"Multiink Frame Replay UNI/NNI Implementation Agreement," FRF.16, Frame Relay Forum Technical Committee (August 1999)	

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